



**Fw: Vacation Rental Application
Requirements/Restrictions/Rules**
Xzandrea Fowler to: Nicole Retana

12/04/2014 01:34 PM

For Rutledge Hearing item.

Regards,

Xzandrea Fowler

Department of Planning and Building
County of San Luis Obispo
976 Osos Street, Rm. 300
San Luis Obispo, CA 93408
805.781.1172
xfowler@co.slo.ca.us

----- Forwarded by Xzandrea Fowler/Planning/COSLO on 12/04/2014 01:34 PM -----

From: Marie Smith <mailmarie@charter.net>
To: Xzandrea Fowler <xfowler@co.slo.ca.us>
Date: 12/04/2014 06:54 AM
Subject: Vacation Rental Application Requirements/Restrictions/Rules

Hello Xzandrea,

Please forward this email to the hearing officer for his consideration and also include it in your evaluation of the vacation rental MUP application of DRC2014-00030 Rutledge **656 Santa Lucia Ave.**, Los Osos. APN: 038-681-018.

Please include this list in the evaluation of requirements/restrictions/rules for this vacation rental and any others proposed for the Baywood Peninsula:

1. education of vacation renters about protection of our National Estuary, located on the Pacific Flyway, and its' lifeforms: need to address boating, walkers, dogs
2. address advertisement requirements:
i.e. "quiet residential" vs "perfect for large group gatherings"
3. address the water issue: these individuals will not equate their "hotel" bill with the need to ration water (our water bills remind us if nothing else does!)
(gatherings of people use more water) We are dealing with salt water intrusion, and recent major water changes. For us it is a real question of whether we will run out of water, visitors have no stake in this problem!
4. control of noise, even during daytime!
5. control of smoke: gatherings of people tend to smoke outside and have cookouts
6. control of the number of times that this building can be rented out per month - neighbors have to constantly adjust to new groups of people, (the extended family feeling is gone, with it the predictability!)
7. control of number of people able to occupy this building at any one time
8. screening of people occupying/using this house: since this is a transient use(advertised on the internet to the world) in an existing residential neighborhood, extreme caution should be taken

Please note: These particular vacation rentals are even more important because within one month we have will have three applications for vacation rentals on the waterfront,

where there are now non permitted. This is not an ocean front occupancy, but located on a fragile National Estuary. This small area is still highly undeveloped and enjoyed by many walkers. There are 7 accesses/overlooks within it. When we develop the large number of lots which have recently gotten sewer hookups and the 2nd and 3rd street Commercial areas we are looking at an abundance of people/(and their dogs) using a fragile area.

Thank you for considering these ideas,
Marie Smith
Los Osos

Hearing Officer
County of San Luis Obispo
Planning & Building Dept.
976 Osos St., Room 300
San Luis Obispo, CA 93408

December 3, 2014

SUBJECT: Minor Use Permit by Pamela Rutledge & Morrow Bay Legacy

Dear Sir or Madam,

Please accept the following information in opposition to the Limited Use Permit (vacation rental) on this property. We know that Staff will be making recommendations and some of the following information may overlap what Staff has already provided. We ask that you also give consideration to the following before making your final decision.

We live in Baywood Park and are concerned about the impact that too many vacation rentals will have on our unique and eclectic community. Many factors we will mentioned (environmental, density, proximity, etc) apply to this and all potential vacation rentals in Baywood Park/Los Osos. We also have a personal interest in this particular property because we live at 670 Santa Lucia which borders the subject property on the east. One very important issue pertains only to 656 Santa Lucia and we address that issue first.

COMPLIANCE

The owners of this property have demonstrated, at the very least, a lack of concern for compliance with the rules and regulations. A brief history:

Syd and Cathie Brown built the two bedroom one bath house in 1978 as a second home. At some point Syd and Cathie began residence in Baywood Park full time. In the early 90's a permit was applied for and granted for an addition to the house to be used as a studio. Syd and Cathie moved and ultimately ownership of the property was transferred to their three daughters via a quit claim deed in January, 2013.

At some point the daughters formed Morro Bay Legacy, LLC and offered the house on the vrbo website as a 3 bedroom, 2 ½ bath vacation rental on Morro Bay, minimum stay 2 nights at \$275 a night.

The occupancy rate was low at first but built steadily until July-August 2014 when the rentals were back-to-back. After a few incidents with renters that resulted in confrontations, a neighbor reported the situation to the County. We then learned that the rental was illegal and the owners were ordered to stop taking new reservations until a Limited Use Permit was obtained.

In the meantime, on the advice of LOCAC to get people support our position, we and our neighbor contacted several residents in the area and got 28 of them to sign a petition requesting that the Permit be denied. We delivered the petitions to LOCAC but as far as I know they were never read and certainly were not considered at the meetings. The

petitions were never returned. Fortunately we had made copies and one set is attached to the hard copy of this letter.

The owners applied, the application was sent to LOCAC, then Land Use, then back to LOCAC where the final vote was 4 to 3 to recommend approval. However, in the process a discrepancy in the number of bedrooms and bathrooms was noticed by one of the members. Unfortunately that did not change the outcome of the vote.

The application was subsequently returned to the County and after investigation it was determined that the addition was not a bedroom, but a studio and that only one bathroom was “permitted”; therefore the “studio” could not be counted as a bedroom and any more than one bathroom must be removed as a condition of the Permit.

The house is currently being offered on vrbo as a 2 bedroom, 2 bath 30 day rental which exempts it from the Limited Use Permit provisions (but still with an illegal bathroom).

If for no other reasons than the above, this Permit should be denied. If, for whatever reason the Permit is granted, it should be granted with restrictions.

1. The illegal additions should be removed, whether or not the Permit is granted.
2. The owners should be required to obtain and pay a fee for a demolition permit the applicable fee to remove the bathrooms.
3. The property is assessed for property tax purposes as two bedroom, one bath 1,742 square foot house and taxes paid on that assessment. The property should be reassessed to include any illegal additions. If the assessment is higher, as it probably would be, the County should be allowed to collect taxes on the unpaid portion retroactive to the installation of the illegal additions, and extending until the additions are removed.
4. The County charges a “tax” on vacation rentals. At the time of the second LOCAC meeting the owners admitted the taxes had not been paid. Those taxes should be determined and paid to the County.
5. Pay any other applicable fees, fines or taxes.

ENVIRONMENTAL IMPACT

This property backs up to the estuary, an environmentally sensitive area. Please see pictures attached. You have already received a lot of relevant information on this subject from Marie Smith so I will not repeat except to agree with and support her position. Although it is exempt under CEQA, due to its very close proximity to the estuary, we request that a full Environmental Impact Report (EIR) be executed this property before a Limited Use Permit is granted.

We have been very fortunate to be able to spend our retirement years in this beautiful location on the estuary, but understand that with that good fortune comes a responsibility to do nothing to harm and everything to preserve what is left here. Some of the people who have used the subject property have not been responsible. While the owners have denied or dismissed these occurrences, we and others there have witnessed beer bottles being thrown from the house into the bay, and discarded cigar and cigarette butts.

DENSITY & PROXIMITY

The subject property is located at 656 Santa Lucia Avenue on the Baywood Park peninsula. Santa Lucia begins at the Audubon Overlook at 4th Street becomes Pasadena at 1st Street and rims around the peninsula to other end of 1st Street (where it becomes Santa Maria), a distance of slightly more than half a mile.

This stretch consists of 43 single family homes and an estimated 21 empty lots, almost evenly divided on the water and inland sides of the streets. There are two public accesses to the water. Some residences are second homes with part-time occupancy. Many are year-round homes, and a few are long-term renters. Almost all are usually occupied by three or fewer adults.

There is currently no ordinance in Los Osos to limit density or proximity of vacation rentals. There are 21 houses on the water side of the street. At the hearing on December 5th, two permits were approved: Viola at 1161 Pasadena and Perevosky at 672 Santa Lucia. If the subject property is approved, that will be three vacation rentals on essentially the same street in December. That is 14% of the houses in just one month! We will be sandwiched between two of them.

Pasadena and Santa Lucia are well used by locals and visitors for running, jogging, walking and dog walking and public the access on the bay end is used for fishing and launching small self-propelled water craft.

656 Santa Lucia is located on the water side of the peninsula at the end of 2nd between 2nd Street. The lots here are only 50 feet wide and houses are very close together. Bordering on the west is a vacant lot. Bordering on the east is 670 which is our full time residence. Bordering us on the east is 670 Santa Lucia which was granted a vacation rental permit on December 5th of this year. 656 is approximately two long blocks from 1161 Pasadena, another Limited Use Permit (Viola) which was approved on December 5th.

This property backs up to the estuary and has stairs that lead down to the water's edge. The residence is within the Morro Estuary Natural Preserve and its 800-acre wetlands are home to dozens of endangered species. This bird sanctuary is home to more than 250 species of land, sea, and shore birds, both migratory and resident. We have observed the disturbance to the birds from even small noises such as dogs barking or doors slamming or leaf blowers. However, this property is exempt from CEQA and no Environmental Impact Report (EIR) was required or performed.

This property is subject to the building moratorium (sewer) and water conservation (drought). Vacation rentals by nature increase water consumption and sewer output.

The issue of vacation rentals is being reviewed by the Land Use Committee which may have input to the Los Osos Community Plan currently being developed.

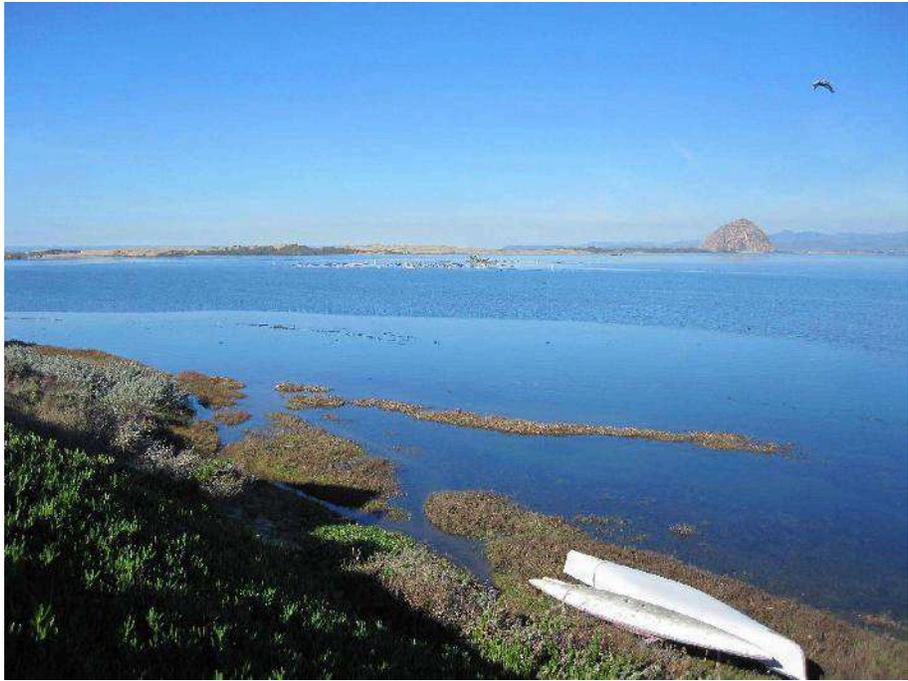
In light of the aforementioned facts, we request that approval of this Permit be denied. If by chance the compliance issues are resolved and Permit will be granted, we request that some steps be taken to lessen the negative impact on us, the neighborhood and the environment

1. Postpone action until the Community Plan is finalized.
2. Postpone action until the sewer is connected.
3. Require a full Environmental Impact Report EIR before the Permit is granted.

At the very least, we request that you limit rentals to two per month. We have discussed this solution with our other neighbors, the permittees and owners of 672 Santa Lucia and they agreed that this was a reasonable request and would not oppose this restriction.

We appreciate your attention and kind consideration of our position. Thank you.

Mildred Miyazaki



PETITION AGAINST GRANTING OF A VACATION RENTAL PERMIT TO 656 SANTA LUCIA AVE, LOS OSOS

I own/rent the property at
688 SANTA LUCIA AVE

in the Baywood Park community of Los Osos.

I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

For these and many other reasons I am opposed to the granting of a limited use permit (vacation rental) to the owners of the property located at 656 Santa Lucia Ave., Los Osos, CA 93402

Further comments:

I have no objection to occasional vacation rentals. But the house at 656 SANTA LUCIA has been occupied almost full time by a succession of different guests. IN effect this is like having a busy motel right in the midst of our quiet residential area.

Sincerely,

David A. Leipziger

PETITION AGAINST GRANTING OF A VACATION RENTAL PERMIT TO 656 SANTA LUCA AVE, LOS OSOS

I own/rent the property at

1146 1st St. LOS OSOS 93402

in the Baywood Park community of Los Osos.

I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

For these and many other reasons I am opposed to the granting of a limited use permit (vacation rental) to the owners of the property located at 656 Santa Lucia Ave., Los Osos, CA 93402

Further comments:

I moved to Los Osos 2 years ago motivated by my need to find coastal unpolluted air to help my chronic lung disease. I had to leave the San Diego area and several others due to their levels of industrial & vehicle emissions and the burning of wood (as I found the case in N. California). I honestly don't know where I would move if increasing barbeque and fireplace use (as I have witnessed in Bodega Bay, CA vacation rental neighborhoods). Vehicle traffic increasing is a problem as well.

Please consider the fate of those of us here in Baywood who for various personal reasons moved here because it is a **UNIQUE COASTAL HAVEN**. Vacation rentals are fine in the proper place. It is **NOT FAIR** to so radically change this small neighborhood use now.

Thank you
Melinda Wilcox M.D.
Melinda Wilcox, M.D.
805-602-2651

PETITION AGAINST GRANTING OF A VACATION RENTAL PERMIT TO 656 SANTA LUCA AVE, LOS OSOS

I own/rent the property at

1149 FIRST ST.

in the Baywood Park community of Los Osos.

I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

For these and many other reasons I am opposed to the granting of a limited use permit (vacation rental) to the owners of the property located at 656 Santa Lucia Ave., Los Osos, CA 93402

Further comments:

Jim Smith

Maria Smith

**PETITION AGAINST GRANTING OF A VACATION
RENTAL PERMIT TO 656 SANTA LUCA AVE, LOS OSOS**

I own/rent the property at

1401 4th St - (Baywood)
Los Osos, CA 93402
in the Baywood Park community of Los Osos.

I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

For these and many other reasons I am opposed to the granting of a limited use permit (vacation rental) to the owners of the property located at 656 Santa Lucia Ave., Los Osos, CA 93402

SIGNED Chris Antonopoulos
PRINT NAME CHRIS ANTONOPOLOS
DATE 9/29/14

Print

PETITION AGAINST GRANTING OF A VACATION RENTAL PERMIT TO 656 SANTA LUCA AVE, LOS OSOS

I own/rent the property at

373 Woodland Ave.
Los Osos

in the Baywood Park community of Los Osos.

I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

For these and many other reasons I am opposed to the granting of a limited use permit (vacation rental) to the owners of the property located at 656 Santa Lucia Ave., Los Osos, CA 93402

Further comments:

Although I don't reside in Baywood Park, I often eat at the Backbay Cafe and then walk my dogs along the Estuary, down along Santa Lucia Ave. I've noticed, since short term renters have been frequenting the house, there is a noisier crowd and a motel-like setting outside the home which is a great disappointment for this area.

Nancy Scriber

PETITION AGAINST GRANTING OF A VACATION RENTAL PERMIT TO 656 SANTA LUCA AVE, LOS OSOS

I own/rent the property at

112 2nd St.
Los Osos

in the Baywood Park community of Los Osos.

I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

For these and many other reasons I am opposed to the granting of a limited use permit (vacation rental) to the owners of the property located at 656 Santa Lucia Ave., Los Osos, CA 93402

Further comments:

We've had occasions where renters have caused safety issues for my daughter. Strangers have banged on the door and in one case a man walked in through our back door when my daughter was home alone.

Parking on our easement has increased and the natural grasses that I have landscaped have been trampled under cars.



SEE

(/)

Login Help

List your property (http://www.vrbo.com/info/list-your-property?icid=IL_LYP_O_Text_lyptopnav)

Morro Bay, Central Coast, California

Arrival Depart Search

I don't have dates yet

Home (http://www.vrbo.com)

USA (http://www.vrbo.com/vacation-rentals/usa)

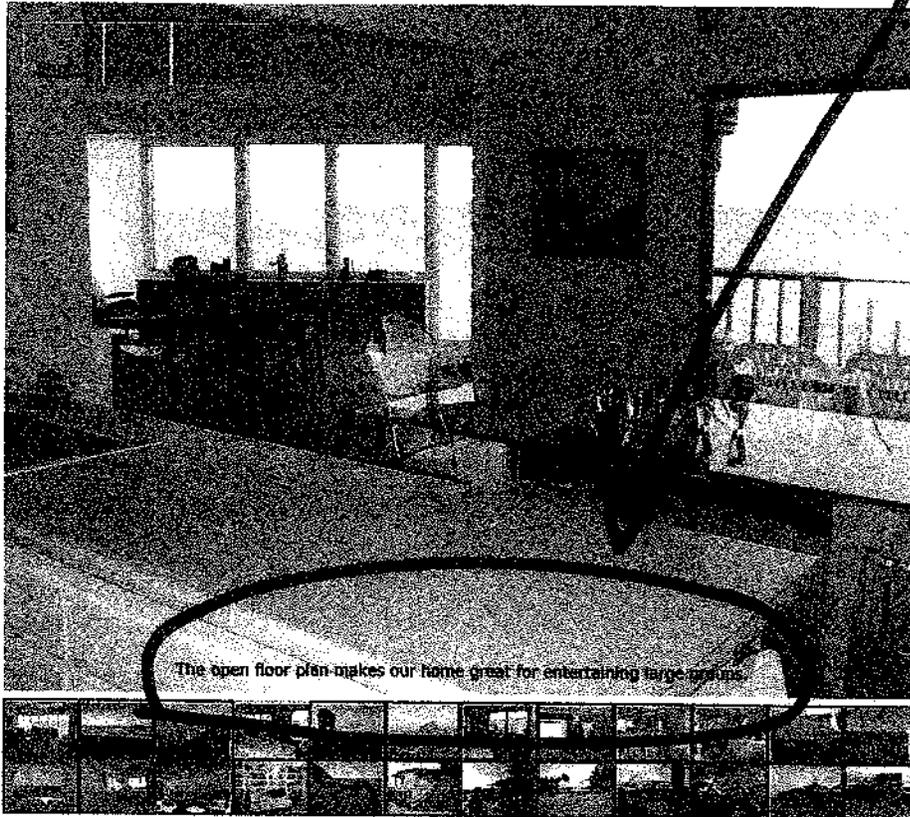
California (http://www.vrbo.com/vacation-rentals/usa/california)

Central Coast (http://www.vrbo.com/vacation-rentals/usa/california/central-coast)

Morro Bay (http://www.vrbo.com/vacation-rentals/usa/california/central-coast/morro-bay) VRBO Listing #440370

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Bayfront Luxury, Breathtaking Views and Amenities Galore!!



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\$275

per night (USD)

21

3 Bedroom / 2.5 Bathroom
Sleeps 6

View calendar: Updated 08/23/14

Minimum stay: 2 nights

Arrival Departure

Get an instant quote



Owner

Email owner

Show Phone Number

Speaks: english



Pay with confidence

Guaranteed, secure, with
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Add vacation protection
services to your booking

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Minimum stay: 2 nights Pets considered: No
Internet: Yes Wheel chair accessible: Yes

Morro Bay house description

Bay front home with incomparable views from every room. This house is the perfect spot for you to relax and enjoy. Whether you are in need of a home base for the multitude of outdoor opportunities and excursions or just in need of place to relax and watch the tide go in and out, this is just your

PETITION AGAINST GRANTING OF A VACATION RENTAL PERMIT TO 656 SANTA LUCA AVE, LOS OSOS

I own/rent the property at

1112 2nd st.

in the Baywood Park community of Los Osos.

I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

For these and many other reasons I am opposed to the granting of a limited use permit (vacation rental) to the owners of the property located at 656 Santa Lucia Ave., Los Osos, CA 93402

Further comments:

I live at the above address I am also opposed to granting a limited use permit (vacation rental) to the owners of the property listed at 656 Santa Lucia.

The primary reason for my opposition is due to the following:

- Trash I have personally picked up around and below the property at the bay.
- Vacationers who frequently park on my landscaping and in my parking areas.
- #1 resent issue occurred on Sunday 9/7/14 @ 5:00 pm. When a (vacationer) man entered my residence through my BACK door. Pushed the door open as I was trying to get him out of my residence. He insisted that he was supposed to be tenting here. I advised him to leave my property as soon as possible. His whole group 5 people had parked and then were getting ready to unload their bags.

very concerned for my safety. Especially,
after this insident. Please denie the
permit to this address as it would
affect the beauty and safety of the
area.

Ala Cloud

received
9/16/2014

PETITION AGAINST GRANTING OF A VACATION RENTAL PERMIT TO 656 SANTA LUCA AVE, LOS OSOS

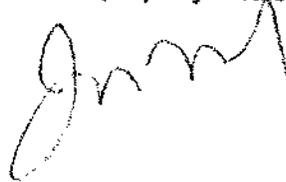
I own/rent the property at

1113 1ST ST

in the Baywood Park community of Los Osos.

I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

For these and many other reasons I am opposed to the granting of a limited use permit (vacation rental) to the owners of the property located at 656 Santa Lucia Ave., Los Osos, CA 93402



Further comments:

NOT APPROPRIATE TO ALLOW PERMIT
TO PARTIES THAT HAVE NOT
BEHAVED ~~THE~~ PROPERLY IN
THE PAST. WOULD SUPPORT
PERMIT FOR SOMEONE WHO DID.

**PETITION AGAINST GRANTING OF VACATION RENTAL
PERMIT TO 656 SANTA LUCA AVE, LOS OSOS**

I own/rent the property at

1113 1st St SA

in the Baywood Park community of Los Osos.

I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

For these and many other reasons I am opposed to the granting of a limited use permit (vacation rental) to the owners of the property located at 656 Santa Lucia Ave., Los Osos, CA 93402

Robi McPeak

Further comments:

The county should not issue this permit to applicants who have a history of operating an illegal vacation rental that disrupted the neighborhood.

Robi McPeak

707-972-1332

PETITION AGAINST GRANTING OF A VACATION RENTAL PERMIT TO 656 SANTA LUCA AVE, LOS OSOS

I own/rent the property at

1178 2nd Street

in the Baywood Park community of Los Osos.

I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

For these and many other reasons I am opposed to the granting of a limited use permit (vacation rental) to the owners of the property located at 656 Santa Lucia Ave., Los Osos, CA 93402

Further comments:

We have noticed increased traffic on 2nd St. Some drivers are failing to stop at Santa Ysabel + 2nd and then driving at excessive speeds towards Santa Lucia.

It has noticeably affected the peace & quiet of our tranquil neighborhood.

We moved to Baywood from a town that was overrun by vacation rentals. It has ruined the quaint feeling of Trinidad (Ca). If you go online to research Trinidad it is a hot topic!

Too many vacation rentals also have impacted the local school resulting in fewer families able to live there and fewer people involved in the community.

It would ruin our "dream location" if we had such a vacation rental next door. If the owners had dealt with the rental responsibly this may have been avoided.

Now is the time to make changes so the whole area of Baywoods doesn't become overrun with short term rentals, thus changing the character of our unique area.

PETITION AGAINST GRANTING OF A VACATION RENTAL PERMIT TO 656 SANTA LUCA AVE, LOS OSOS

I own/rent the property at

1104 3RD ST, Los Osos

in the Baywood Park community of Los Osos.

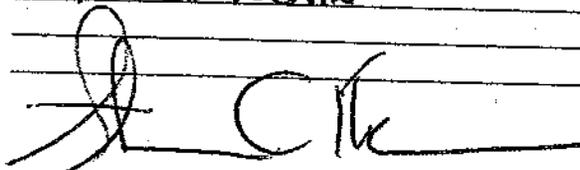
I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

For these and many other reasons I am opposed to the granting of a limited use permit (vacation rental) to the owners of the property located at 656 Santa Lucia Ave., Los Osos, CA 93402

Further comments:

IN BAYWOOD THERE ARE ALREADY SEVERAL PLACES TO STAY SUCH AS THE "BACK BAY INN" AND THE B&B ACROSS THE STREET FROM IT. THESE PLACES ALSO HAVE THE ADVANTAGE OF NEAR-BY RESTAURANTS AND COFFEE SHOPS. THERE IS NO NEED TO PUSH SOME OF THIS BUSINESS INTO SURROUNDING NEIGHBORHOODS.

ADDITIONALLY, THERE IS A CERTAIN AMOUNT OF "RUBBING TOGETHER" THAT COMES FROM AN OUTDOOR LIFESTYLE IN A NEIGHBORHOOD WHERE THESE HOMES ARE CLOSE TOGETHER. THIS CONTACT OF LIFESTYLES IS LOST WHEN THAT SPACE IS ENERGIENED UPON BY PEOPLE WHO ARE NOT CONCERNED ABOUT HOW THEIR ACTIONS ARE AFFECTING THOSE AROUND THEM. I.E. "I'M NEVER GOING TO SEE THESE PEOPLE AGAIN"



PETITION AGAINST GRANTING OF A VACATION RENTAL PERMIT TO 656 SANTA LUCA AVE, LOS OSOS

I own/rent the property at
1124 2ND ST.

in the Baywood Park community of Los Osos.

I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

For these and many other reasons I am opposed to the granting of a limited use permit (vacation rental) to the owners of the property located at 656 Santa Lucia Ave., Los Osos, CA 93402

Further comments:



9-13-14

LISA BROWN

PETITION AGAINST GRANTING OF A VACATION
RENTAL PERMIT TO 656 SANTA LUCA AVE, LOS OSOS

I own/rent the property at

112A 2ND STREET LOS OSOS 93402

in the Baywood Park community of Los Osos.

I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

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Further comments:

SHEILA CLARK J Clark 9/13/14

I NOTICED AN OVER-ABUNDANCE OF VEHICLES FOR SEVERAL DAYS. LOT CARS THESE WERE ON THE STREET, NOT JUST THE DRIVEWAY. THERE WAS SOME LITTER BY THE ROADSIDE, HOWEVER SOMEONE EVENTUALLY CLEANED IT UP.

**PETITION AGAINST GRANTING OF A VACATION
RENTAL PERMIT TO 656 SANTA LUCA AVE, LOS OSOS**

I own/rent the property at

600 Santa Lucia

in the Baywood Park community of Los Osos.

I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

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Further comments:

Terry Smith 9/20/19

James B. Smith 9/20/19

PETITION AGAINST GRANTING OF A VACATION RENTAL PERMIT TO 656 SANTA LUCA AVE, LOS OSOS

I own/rent the property at
1104 3rd Street

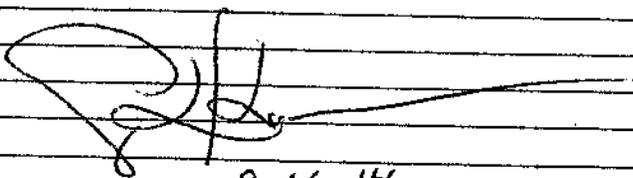
in the Baywood Park community of Los Osos.

I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

For these and many other reasons I am opposed to the granting of a limited use permit (vacation rental) to the owners of the property located at 656 Santa Lucia Ave., Los Osos, CA 93402

Further comments:

Baywood Park is a very small very quiet community with homes closely situated next to each other. It is not an appropriate location for a frequently turned over rental. Please do not approve a license for this purpose.



9-16-14

PETITION AGAINST GRANTING OF A VACATION RENTAL PERMIT TO 656 SANTA LUCIA AVE, LOS OSOS

I own/rent the property at 632 + 640 + 648 SANTA LUCIA

in the Baywood Park community of Los Osos.

I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

For these and many other reasons I am opposed to the granting of a limited use permit (vacation rental) to the owners of the property located at 656 Santa Lucia Ave., Los Osos, CA 93402

Further comments:

the whole concept, ^{short term rental} I oppose in this area.
A rental for a year or so as some people do is fine with me,
Astern

The Pasadena peninsula is a beautiful, quiet part of Baywood Park, where children can safely play in the streets and neighbors and their pets can take relaxing walks while enjoying the scenic beauty of the South Bay and the surrounding countryside. It is a safe, friendly, and peaceful neighborhood where the residents take great pride in their properties. Allowing any residence in our neighborhood to be available for short term renting is absolutely incompatible with the character and charm of this unique environment. Visitors are always welcome to enjoy Baywood Park, but commercial use, such as daily lodging/short-term renting, should be confined to areas already designated for such use, i.e. the Baywood Park business district.

I strongly urge the board to disapprove any application(s) for allowing short-term rentals in our neighborhood!



R.B. Grabowski

**PETITION AGAINST GRANTING OF A VACATION
RENTAL PERMIT TO 656 SANTA LUCA AVE, LOS OSOS**

I own/rent the property at

733 Santa Lucia
Los Osos, CA 93402
in the Baywood Park community of Los Osos.

I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

For these and many other reasons I am opposed to the granting of a limited use permit (vacation rental) to the owners of the property located at 656 Santa Lucia Ave., Los Osos, CA 93402

Further comments:

This is a very quiet residential neighborhood.
Short term renters are not always considerate
of neighbors.

Hello LOCAC, here are my comments about the vacation rental proposals to be discussed at the September 25th meeting.

1. I am puzzled by the request for a vacation rental at 1161 Pasadena Drive because this home is part of Tract 40. This tract is in Richard Stuart Otto's will, and in the deed of Executrix (1973) by Shirley Jean Otto, under #2. Land Use and Building Type: **"no lot shall be used except for residential purposes..."**

2. interesting background: this area was once designated to be a park, an area of quiet and peace for nature and mankind as indicated in an old map. This map used to be in the LO library but was moved to the reference section of the SLO library or to the historical museum in SLO (by the mission). And, as indicated in Richard Stuart Otto's will, this park area morphed into a residential only neighborhood.

3. 672 Santa Lucia, although not in Tract 40, is still in the same area, a peaceful residential neighborhood. Let us not turn this area into a commercial hotel area where the feeling of being a family, that exists among neighbors who know and depend on each other, is lost.

4. This feeling of being connected extends to the people of Los Osos and their friends who daily use this peaceful, quiet area for walking and visiting. This neighborhood area needs to be protected from the noise, traffic, and air pollution of commercialization so that this feeling of community continues.

5. This location, on the Pacific Flyway, is also an important area to protect for nature. We should not disturb the birds or wildlife when they are resting or eating so that they can survive. A particular sensitive area is on the bay near the SW corner of Pasenda Drive. In the winter this is a Brant Geese gritting site. Easy access to the bay walk is near both homes that are proposed to be vacation rental houses, and which can be advertised world wide on the internet! It is hard to let people know about the special requirements of nature if they are just here for a day. If they are staying in the Inns or with a family then they have a chance to be told, but if they are in vacation rentals who is going to let them know?

Basically the issue boils down to the usual:

It is not just one event that we are talking about, but the accumulation of events. So please think carefully before making any decision about vacation rentals, because the peace that is necessary for the survival of people and nature is again in your hands.

Thank you for considering my comments,

Marie Smith, L.O.

PETITION AGAINST GRANTING OF A VACATION
RENTAL PERMIT TO 656 SANTA LUCA AVE, LOS OSOS

I own/rent the property at

1135 5th St

in the Baywood Park community of Los Osos.

I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

For these and many other reasons I am opposed to the granting of a limited use permit (vacation rental) to the owners of the property located at 656 Santa Lucia Ave., Los Osos, CA 93402

Further comments:

The vacation rental noted above seems to have no restrictions on number of tenants, no one monitors noise levels and time restrictions for noise. Tenants have left trash on the beach.

The owners have been contacted concerning these problems but have done nothing. Therefore, I feel that they should not be issued a limited use permit.

Jessica Rice

**PETITION AGAINST GRANTING OF A VACATION
RENTAL PERMIT TO 656 SANTA LUCA AVE, LOS OSOS**

I own/rent the property at

1156 Pasadena Dr.

in the Baywood Park community of Los Osos.

I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

For these and many other reasons I am opposed to the granting of a limited use permit (vacation rental) to the owners of the property located at 656 Santa Lucia Ave., Los Osos, CA 93402

Further comments:

I live near long-term renters. Although I am not bothered by loud yelling and partying, swearing, drinking, etc., there are other annoying behaviors which do not fit into the way of this quiet neighborhood: illegal fireworks, dogs running loose and pooping all over, an illegal boat parked out front for two years, trash cans left out for days and trash in the drive way. If this is how long-term renters can be, it must be horrible living near vacation rentals. I strongly urge you to deny this permit.

PETITION AGAINST GRANTING OF A VACATION
RENTAL PERMIT TO 656 SANTA LUCA AVE, LOS OSOS

I own/rent the property at

7115 Fourth St

in the Baywood Park community of Los Osos.

I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

For these and many other reasons I am opposed to the granting of a limited use permit (vacation rental) to the owners of the property located at 656 Santa Lucia Ave., Los Osos, CA 93402

Further comments:

Baywood Park is a bedroom community of San Luis Obispo and as such a large portion of the community commutes to San Luis to work each day. A short term vacation rental is wholly incompatible with the working nature of the community. Also given the close proximity of the houses, noise carries at night.

PETITION AGAINST GRANTING OF A VACATION
RENTAL PERMIT TO 656 SANTA LUCA AVE, LOS OSOS

I own/rent the property at

656 Santa Lucia Ave

in the Baywood Park community of Los Osos.

I value Baywood Park, the beauty, the Bay and estuary, the wildlife, weather and general atmosphere that makes Baywood Park the wonderful place it is. I value the access to the clean shore along the estuary where children, adults and dogs can play, walk, run, launch kayaks, or wade. I value the safety and security that makes Baywood Park a serene oasis. I believe that we need to protect Baywood Park from the changes that would threaten the way of life and the beauty of the Bay that we enjoy here.

For these and many other reasons I am opposed to the granting of a limited use permit (vacation rental) to the owners of the property located at 656 Santa Lucia Ave., Los Osos, CA 93402

Further comments:

See attached

Jim & Ernie Percevaski 10/8/2014

We live at 672 Santa Lucia Ave. We are one house away from 656 Santa Lucia Ave. We are asking that 656 Santa Lucia Ave. not be granted a MUP for a vacation rental.

This house has been run for quite some time as an illegal vacation rental and therefore we are aware of exactly what the problems are at 656 Santa Lucia.

Not every house is a good location for a vacation rental, just as not every location is a good location for a business, which is exactly what a vacation rental is. Its relation and effect on the neighborhood and the effect on the enjoyment of the general public to a natural resource are important factors.

The houses on this part of the street are on rectangular lots 50 feet wide and approximately 200 feet long. The exposure to the neighbors is very large. Almost all the activity in the illegal vacation rental takes place so that the impact on the neighbors to the East and the shore is the greatest.

The house is situated in such a manner as to be an uncontrollable nuisance to the neighbors. The house sits 35 feet forward of the two houses to the east (670 and 672 Santa Lucia).

The entire 35 foot balcony is on the East side of the house and looks over the back yard of 670. It is 4 feet from neighboring property. It is almost to the edge of the bluff.

The balcony is used as the main living area of this house by the renters.

They can be there from early morning into the middle of the night.

The barbeque is right next to the neighbor's lot.

The noise is unabateable due to lack of enclosure of the balcony and prohibition against fencing over 3 feet on these lots. There are no barriers for the noise. As a matter of fact the location seems to amplify the sound.

The renters get out on this unobstructed balcony and throw bottles off, spit, smoke, scream, yell, curse, drink alcohol and smoke dope. The bottles are sometimes thrown into the bay.

You don't have to be yelling to make substantial noise from this house due to its position on the bluff.

The loud get togethers, drinking, smoking, and profanity that this house seems to promote do not preserve the unique environment that people are coming to enjoy. And it does not preserve the quiet that every person in this neighborhood loves. If you are picking up beer bottles and listening to and looking at a large number of drinking parties on the bluff, your experience of enjoying the bay is not preserved.

The bottom line here is that you cannot regulate behavior and we are asking that this particular house and the atmosphere it encourages not be granted a MUP for a vacation rental.

Finally, the owners do not live here and do not hold themselves accountable to the neighbors. It has been running illegally and the owners have never been willing to make any adjustments for the comfort and peace for the neighborhood and more particularly their neighbors.



Fw: MUP application DRC2014-00030 Rutledge 656 Santa Lucia Ave.

Xzandrea Fowler to: Nicole Retana

12/18/2014 04:27 PM

----- Forwarded by Xzandrea Fowler/Planning/COSLO on 12/18/2014 04:26 PM -----

From: Marie Smith <marie.s@charter.net>
To: Xzandrea Fowler <xfowler@co.slo.ca.us>
Date: 12/16/2014 07:27 AM
Subject: MUP application DRC2014-00030 Rutledge 656 Santa Lucia Ave.

SUBJECT: comments for the MUP application: DRC2014-00030 Rutledge 656 Santa Lucia Ave., Los Osos. APN: 038-681-018. - Dec 19th planning department hearing
Map REFERENCES for this email:



PDH 114.2014 Public Attachment_3.pdf Hunting Map.pdf

Dear Xzandrea,
Please forward this email to the Planning Review Officer for his consideration of the MUP application of DRC2014-00030 Rutledge [656 Santa Lucia Ave.](#), Los Osos. APN: 038-681-018.
Thank you,
Marie Smith
Los Osos

Dear Matt Janssen,

I have reviewed the application and resulting documents. Some concerns still remain:

1. What will be the impact on our peaceful/safe/quiet neighborhoods? A puzzle remaining: how can these "hotel" commercial type rentals fit into family style neighborhoods?

I share the **safety issue** concerns raised in the neighbor's and the community walker's comments. I did not see anything specific about addressing them: **a thorough screening of the vacation rental users is needed**. These short term transient rental properties are advertised not just by word of mouth, but **on the Internet**, a world-wide advertisement. This **small** neighborhood needs to continue to have a "bond of safety" so that we can share this area comfortably with our many daily visitors who enjoy walking around and using our 7 accesses/overlooks. It is not just the loss of safety for the adults, but what about the safety for our children? When there is a full time regular rental in the neighborhood, parents can check the **Megan's Law list**. We need to specify how the screening will be done for this vacation rental.

2. With more people and the vacation rental lifestyle, there is **a greater impact on the children's physical and psychological health**:

Besides the **safety** issue we need to also address the impact of

- > the extra **noise**: it can interfere with children's homework and sleep
- > second hand **smoke** causes cancer: smoke carries in the breeze: vacation renters typically have more outdoor smokers and barbecues (some people have smoky barbecues!)

* (the smoke and vehicle exhaust concerns were also pointed by Melinda Wilcox, M.D. in her comment submittal. (She depends on this basically fresh air Peninsula for her

own survival. I have seen first hand her condition and subsequent life style caused by chronic lung disease and really understand.)

> **stability**: when neighbors are consistent they can become involved with the child's welfare (and neighbors can be a support group for each other!)

> **serenity** found at home is important for everyone so that they can deal with this fast-paced world

3. We need to address the **inadequate restrictions on the number of people** who want to be located short-term in a single family style neighborhood.

Typically tract 40 does not have large families or extended families who use the whole house all the time and large gatherings happen only once in awhile. It appears that the regulation to limit the number of people using the house at any one time is based on the actual overnight occupancy (2 per bedroom + 2 more) & the off the street parking requirements. My concern is with the amount of extra parking for 656 Santa Lucia. Please refer to pages 3 & 5 in the public attachment 3 (above) for pictures of how this particular house is situated forward on the lot and has extra off the street parking spots due to the long driveway, garage and extra parking slot, I estimate from the drawing 9? vehicles. This also does not account for people who walk in from the street and doesn't regulate how many people are in each car! * If we are truly evaluating each MUP separately we must consider adding restrictions to lessen evident impacts or deny the application. In this case specifying a specific number of vehicles, people in the house at any one time, and/or how often and what length of time is necessary.

(Even in the commercial area of Baywood we find that usually there are 2 people per room with no large groups visiting those rooms!)

4. The **density** question for the neighborhood: We need to address the overall effect of adding this vacation rental in this small Peninsula neighborhood. **One vacation rental MUP has already been approved approximately just 50 feet away** and adding this one would also sandwich a home between these two "residential hotels"! Just imagine if all of a sudden both sides of your home had transient occupants in them! I believe that vacation rentals located that close to each other not only deeply affect the adjacent people, but also destroy the neighborhood bond. It will basically create an extension of the commercial area of Baywood.

5. "The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is directly adjacent to the coast of Morro Bay and the project will provide direct access to the coastal waters and recreation areas associated with the bay and the estuary."

The above document statement, while trying to communicate that everything is great because people have even more access than the regular public, actually reflects a **problem**: the extra, direct use of this side of the Baywood Peninsula to the fragile ecosystem of our National Estuary. This is NOT an ocean front property but an Estuary front property. 656 Santa Lucia is located closer to the estuary than the other waterfront properties and includes **stairs** leading down to the estuary and **waiting boats** thus giving the vacation rental occupants and visitors a greater probability of interference with birds and other lifeforms. Especially because this side of the Peninsula is in the no-hunting, quiet area we should not cause the birds to fly, while they are eating and resting, and especially NOT over to the hunting area during hunting season! (**Please see the hunting area map above for the relationship of this protected location to the hunting area.**) The public walking access is close, about 600 feet east, at the end of 3rd street: surrounded with a natural brush (bird) screening to soften the public's approach (can see it on page 4 of public attachment 3, above). Public boating access is located around the corner at the Pasadena access. One of the joys of

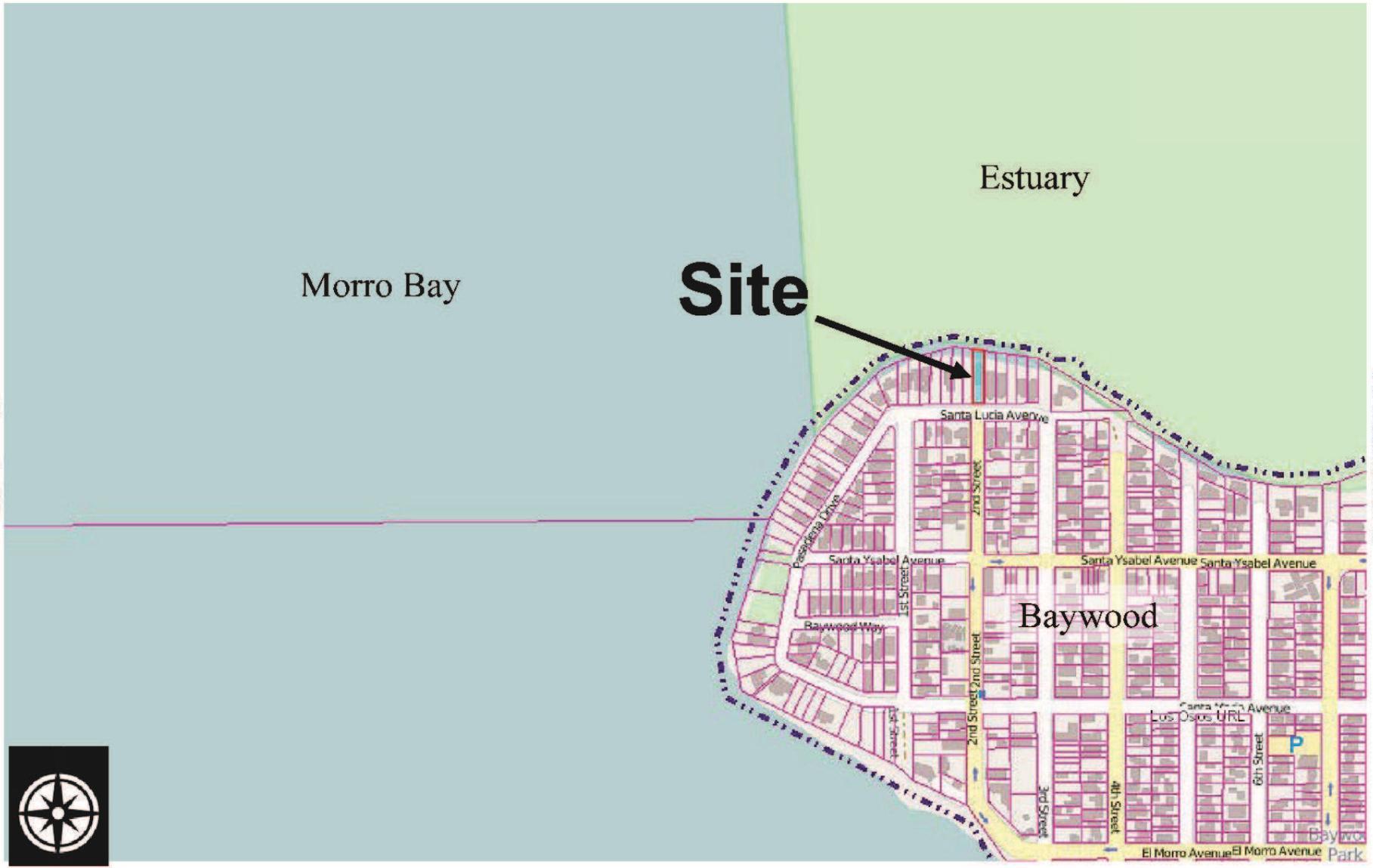
this area is seeing the birds and wild life. We need to ask: what will the longterm **accumulative effect** be on our local birds and lifeforms, and on the birds using the Pacific Flyway who have landed in our National Estuary? They are all just trying to survive. If this home becomes a vacation rental house, maybe boating and direct stair access could be curtailed from this house.

Upon reflection, because of the density issue with the resulting unresolved negative effects listed above, I request that you deny this MUP vacation rental application.

Thank you for your efforts in solving a very difficult case,

Marie Smith

Los Osos



PROJECT
 Rutledge Vacation Rental – MUP/CDP
 DRC2014-00030



EXHIBIT
 Vicinity Map



PROJECT
Rutledge Vacation Rental - MUP/CDP
DRC2014-00030



EXHIBIT
Aerial Photograph



PROJECT
Rutledge Vacation Rental - MUP/CDP
DRC2014-00030



EXHIBIT
Enlarged Aerial Photograph

Floor plan:
3 bedrooms, 3 baths

Bath 3

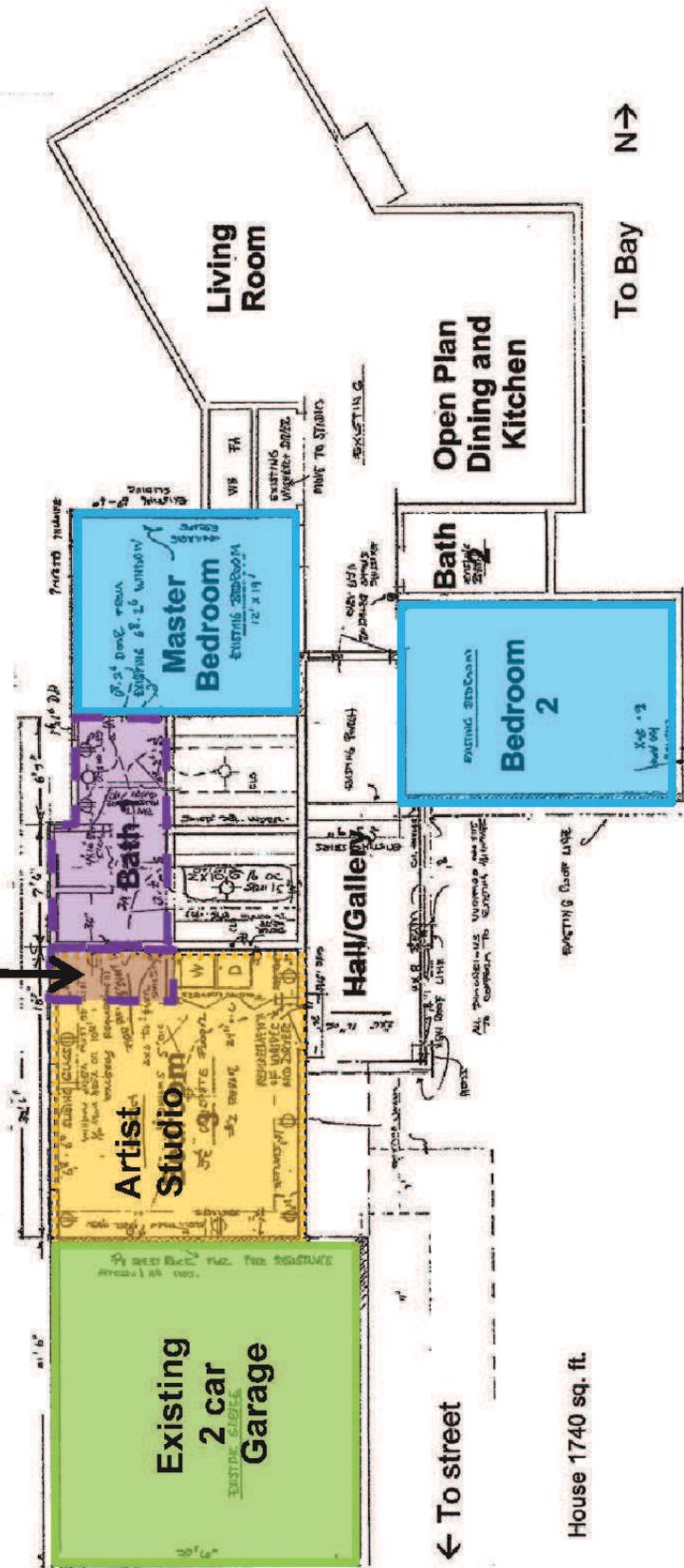


EXHIBIT
Floor Plan



PROJECT
Rutledge Vacation Rental – MUP/CDP
DRC2014-00030



PROJECT

Rutledge Vacation Rental - MUP/CDP
DRC2014-00030



EXHIBIT

Photograph of the site and residence



Brandt Goose
Branta bernicla

Slo Coast Journal

Hunting In The Morro Bay Estuary

SloCoastJournal.com

January 2010

Issue 7

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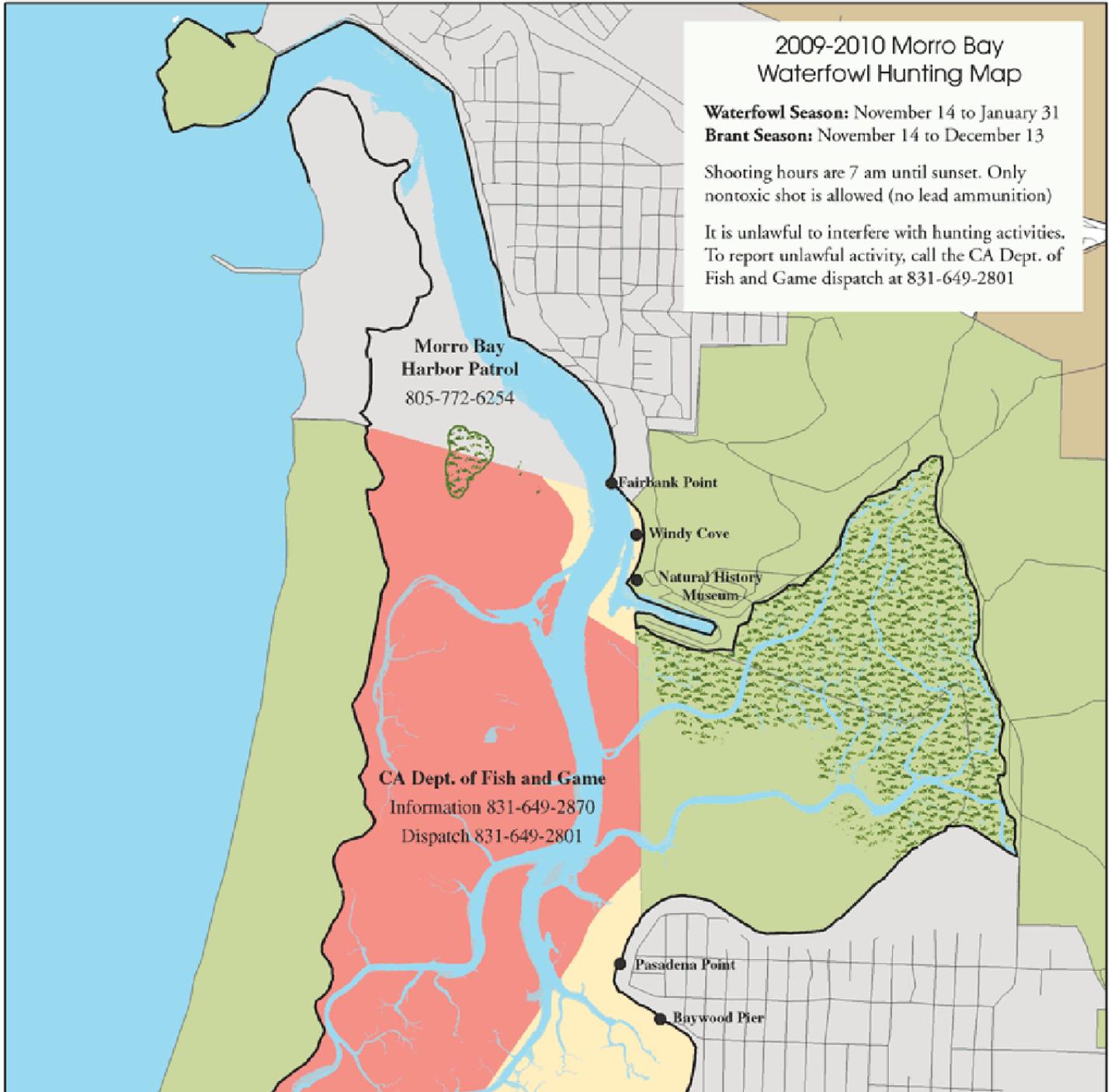
[It's Our Nature](#)

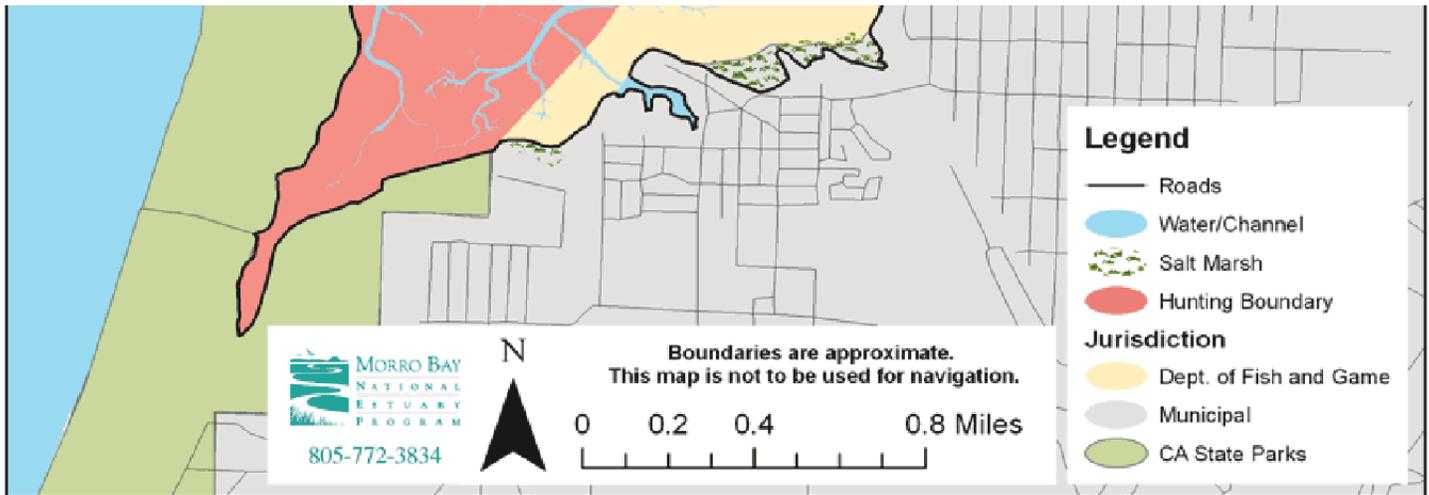
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Hunting Map, 2009-2010





Brant Geese on banner by [Mike Baird](#).

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